

House Bill 566

By: Representatives Manning of the 32nd and Reece of the 11th

A BILL TO BE ENTITLED
AN ACT

To amend Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to educational programs, so as to enact the "Blind Persons' Braille Literacy Rights and Education Act"; to provide definitions; to require an evaluation of a blind or visually impaired child to determine such child's need for Braille instruction; to require Braille instruction in the individualized education program of a blind or visually impaired student; to provide requirements for textbook publishers relating to Braille instructional materials; to provide license requirements relating to Braille for certain teachers; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 3 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to educational programs, is amended by adding a new Code section to read as follows:

"20-2-152.2.

(a) This Code section may be cited as the 'Blind Persons' Braille Literacy Rights and Education Act.'

(b) For purposes of this Code section, the term:

(1) 'Blind or visually impaired child' means an individual who is eligible for special education services pursuant to Code Section 20-2-152 and the federal Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1400, et seq. and who:

(A) Has a visual acuity of 20/200 or less in the stronger eye with correcting lenses or has a limited field of vision such that the widest diameter subtends an angular distance of no greater than 20 degrees; or

(B) Has a medically indicated expectation of visual deterioration.

(2) 'Braille' means the system of reading and writing through touch commonly known as standard English Braille.

(3) 'Individualized education program' or 'IEP' and 'IEP team' have the meanings contained in section 614(d) of the federal Individuals with Disabilities Education Act, 20 U.S.C.A. Section 1414(d).

(4) 'Textbooks and other instructional materials' means any literary or nonliterary works obtained for use in a course of study, including texts in electronic media.

(c) In developing the individualized education program for a student who is a blind or visually impaired child, provision shall be made for instruction in Braille and the use of Braille based on the outcome of an evaluation by a teacher certified by the Professional Standards Commission as a special education visual impairments program teacher. Such evaluation shall include the child's reading and writing skills, his or her specific needs, and appropriate reading and writing media and an evaluation of the child's future need for instruction in Braille or the use of Braille. Nothing in this Code section shall be construed to require the use of Braille if other special education services are appropriate to the child's educational needs. The provision of other appropriate services shall not preclude Braille use or instruction.

(d) The instruction in Braille reading and writing included in the individualized education program shall be sufficient to enable each blind or visually impaired child to communicate effectively and efficiently with the same level of proficiency expected of the child's peers of comparable ability and grade level who communicate with print and in writing. The child's individualized education program shall specify:

(1) The outcomes obtained from the evaluation required under subsection (c) of this Code section;

(2) How Braille will be implemented as the primary mode for learning through integration with other classroom activities unless other special education services are appropriate to the child's educational needs;

(3) The date on which Braille instruction will commence unless other special education services are appropriate to the child's educational needs;

(4) The length of the period of instruction and the frequency and duration of each instructional session; and

(5) For those children for whom Braille instruction is not indicated, the IEP shall include a statement that the absence of Braille instruction will not impair the child's ability to read and write effectively.

(e) All publishers of textbooks and other instructional materials sold to any local board of education in this state shall be required to furnish an electronic version in which the content is encoded in text suitable for conversion into Braille and synthesized speech, which has been prepared using a markup language which maintains the structural integrity of the information, and which can be processed by Braille translation software.

- 64 (f) On and after July 1, 2013, the Professional Standards Commission shall not issue or
65 renew a license to teach academic instruction to blind or visually impaired children unless
66 the educator has, as part of his or her standard renewal requirements:
67 (1) Completed a course in the teaching of Braille approved by the commission;
68 (2) Demonstrated competence in reading and writing Braille by holding a nationally
69 recognized certificate in Braille approved by the commission; or
70 (3) Passed a test in Braille approved by the commission."

71 **SECTION 2.**

72 All laws and parts of laws in conflict with this Act are repealed.